

United States District Court  
for the  
Southern District of Florida

Max'is Creations Inc., Plaintiff, )  
)  
v. )  
) Civil Action No. 23-20341-Civ-Scola  
The Individuals, Partnerships, and )  
Unincorporated Associations )  
identified on Schedule "A", )  
Defendants. )

**Order**

This matter is before the Court on the Plaintiff Max'is Creations, Inc.'s ("MCINC") second motion to continue hearing on motion for preliminary injunction and extend the temporary restraining order for fourteen days. (Mot., ECF No. 35.) MCINC requests that the Court (1) continue the hearing on MCINC's motion for preliminary injunction set for March 3, 2023, by an additional fourteen (14) days, and (2) extend the temporary restraining order entered on February 8, 2023, until the date of the continued hearing on Plaintiff's motion for preliminary injunction. (*Id.*) The Court has carefully reviewed the motion, the record in this case, the applicable law, and is otherwise fully advised. For the reasons set forth below, the Court **grants** the motion. (**Mot., ECF No. 35.**)

MCINC seeks a fourteen-day continuation of the hearing on its motion for preliminary injunction to permit it to serve twenty-eight (28) Defendants on the Alibaba marketplace. (*Id.* ¶ 6.) As of the date of MCINC's motion, the Alibaba platform had not provided the information required, and Alibaba has indicated it is still gathering the data. (*Id.* ¶ 5.) The Court finds that, under these circumstances, good cause exists to grant MCINC's motion to continue.

Therefore, after careful consideration, the Court **grants** MCINC's motion, as follows. (**Mot., ECF No. 35.**)

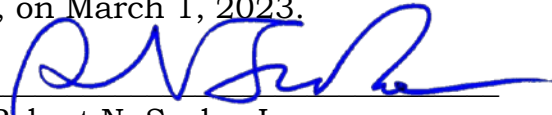
- (1) The temporary restraining order (ECF No. 12) is extended and shall remain in effect until the date of the rescheduled hearing on MCINC's motion for preliminary injunction set forth below.
- (2) The rescheduled hearing on MCINC's motion for preliminary injunction is set before this Court via **Zoom** on **March 17, 2023, at 8:45 a.m.** The parties may appear at this hearing remotely. **Zoom information to follow.** During the hearing, the Defendants and/or any other affected persons may challenge the appropriateness of the temporary restraining

order and move to dissolve the same, and at which time the Court will hear argument on MCINC's requested preliminary injunction.

- (3) Any response or opposition to MCINC's motion for preliminary injunction must be served on MCINC's counsel and filed with the Court, along with proof of service, forty-eight (48) hours prior to the hearing on **March 17, 2023, at 8:45 a.m.** MCINC may file any reply memorandum twenty-four (24) hours prior to the hearing on **March 17, 2023, at 8:45 a.m.** These dates may be revised upon stipulation by all parties and approval by this Court.

- (4) **Defendants are hereby on notice that failure to appear at the hearing may result in the imposition of a preliminary injunction against them pursuant to 15 U.S.C. § 1116(d), 17 U.S.C. § 502, 35 U.S.C. § 283, Federal Rule of Civil Procedure 65, The All Writs Act, 28 U.S.C. § 1651(a), and this Court's inherent authority.**

**Done and ordered**, at Miami, Florida, on March 1, 2023.

  
Robert N. Scola, Jr.  
United States District Judge